

Russell M. Yankwitt, Esq.  
YANKWITT & McGUIRE, LLP  
140 Grand Street, Suite 501  
White Plains, New York 10601  
(914) 686-1500 (Tel)  
(914) 801-5930 (Fax)  
russell@yankwitt.com  
*Attorneys for Plaintiff*  
*Pernilla Andren-Avital*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

PERNILLA ANDREN-AVITAL,

Plaintiff,

– against –

JAN ERNSTBERGER,

Defendant.

Civil Action No. 12-cv-5643-JMF

**PLAINTIFF'S INITIAL  
DISCLOSURES PURSUANT  
TO FRCP 26(a)(1)**

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, plaintiff Pernilla Andren-Avital (“Plaintiff”), by her attorneys, Yankwitt & McGuire, LLP, hereby makes the following initial disclosures. These disclosures do not include any individuals or materials that may be used solely for impeachment. By making these disclosures, Plaintiff does not waive, and hereby expressly reserves, her right to assert any applicable privilege or objection, including, but not limited to, the attorney-client privilege or the work-product doctrine. In addition, Plaintiff’s review is still ongoing and these disclosures are based on information currently available to Plaintiff. Plaintiff expressly reserves her right to supplement, clarify, revise or correct any or all of the disclosures herein made at any time.

A. The following individuals are likely to have discoverable information that Plaintiff may use to support her claims or defenses:

<b>Individual</b>	<b>Address</b>
1. Pernilla Andren-Avital	c/o Yankwitt & McGuire, LLP 140 Grand Street, Suite 501 White Plains, New York 10601 (914) 686-1500
2. David Avital	c/o Yankwitt & McGuire, LLP 140 Grand Street, Suite 501 White Plains, New York 10601 (914) 686-1500
3. Jan Ernstberger	c/o Beck Reed Riden LLP 155 Federal Street, Suite 1302 Boston, MA 02110 (617) 500-8665
4. Ulrika Johansson	147 Holy Hill Lane, Unit 9 Greenwich, CT 06830
5. Mary Jo Whelan, Esq.	7 Benedict Place Greenwich, CT 06830 (203) 661-9488

B. Plaintiff will produce non-privileged documents, including electronic communications, in her possession, custody or control, relating to the claims asserted in her complaint filed on July 23, 2012 and the affirmative defenses asserted in her answer to counterclaims filed on November 9, 2012.

C. Plaintiff claims the following damages in this action:

1.	Damages arising out of lost investment in HairCare of Sweden, Inc.	\$250,000
2.	Incurred and unreimbursed repayment under the Line of Credit	\$200,000
3.	Incurred and unreimbursed expenses	\$50,000

4. Plaintiff's costs and reasonable expenses,  
including attorneys' fees

D. Plaintiff is not aware at this time of any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment. Plaintiff reserves the right to supplement this disclosure as this matter proceeds.

Dated: White Plains, New York  
November 29, 2012

**YANKWITT & McGUIRE, LLP**

By: /s/  
Russell M. Yankwitt, Esq.  
140 Grand Street, Suite 501  
White Plains, New York 10601  
Telephone: (914) 686-1500  
Facsimile: (914) 801-5930  
*Attorneys for Plaintiff*  
*Pernilla Andren-Avital*